



BOARD OF PAROLE HEARINGS



ADMINISTRATIVE DIRECTIVE NO: 2013-06

SUBJECT: PRESENTATION OF DOCUMENTS BY AN INMATE AT A HEARING

INTRODUCTION

This Administrative Directive outlines a prisoner's right to bring documents to a parole suitability hearing and actions the panel may take to facilitate the consideration of those documents.

LEGAL AUTHORITY

California Code of Regulations, title 15, section 2249 provides that, "A prisoner shall have the right to present relevant documents to the hearing panel. The documents should be brief, pertinent, and clearly written. They may cover any relevant matters such as mitigating circumstances, disputed facts or release planning. A copy of the documents may be placed in the prisoner's central file."

DISCUSSION

For purposes of section 2249, "brief" shall mean no more than 20 single-sided pages or 10 double-sided pages. Additionally, "pertinent" shall mean any new information relevant to whether the prisoner currently poses an unreasonable threat to public safety. Finally, "clearly written" shall mean legible handwriting or average font size.

This administrative directive does not apply to letters of support presented by a prisoner at a parole suitability hearing.

DIRECTIVE

Parole suitability hearing panels shall accept up to 20 single-sided pages or 10 double-sided pages of material at the beginning of a hearing submitted by a prisoner, or his or her counsel, that contain new information relevant to whether the inmate currently poses an unreasonable threat to public safety, and that are in legible handwriting or

average font size. If the panel determines that the material does not meet one of these criteria, it is within the discretion of the panel to accept the documents and proceed with the hearing, so long as the panel ensures that the panel reviews the documents in their entirety and affords inmate counsel and the prosecutor a meaningful opportunity to review the documents prior to closing remarks.

This Administrative Directive shall take effect immediately. If you have any questions concerning the contents of this Administrative Directive please contact the legal office at (916) 324-7604.

APPROVED BY:


JENNIFER B. SHAFFER
Executive Officer, BPH

DATE: 12/17/2013